

IN THE UNITED STATES COURT
FOR THE FOURTH CIRCUIT

Nanci Brook Byrd,

Defendant-Appellant.

vs.

United States of America,

Appellee.

**Docket No.:
15-4777**

MOTION TO SEVER / DECONSOLIDATE

Appellant Nanci Brook Byrd, through counsel, moves this court to sever Ms. Byrd from her consolidated matter. In support of this motion, the Appellant shows the Court:

- 1) The cases of United States v. Tracy Alan McDonald (15-4710), United States v. Phillip Allen McGee (15-4719), and United States v. Thomas Leslie Snead (15-4724), United States v. Thomas Jenkins, II (15-4738), United States v. Alex Odom, Jr. (15-4762), and United States v. Nanci Byrd (15-4777) were consolidated for appeal on December 14, 2015 under DE 22.
- 2) The Court ordered the Appellants' joint opening brief due on March 11, 2016 under Case No. 15-4710 DE 46.

- 3) Under Case No. 15-4719 DE 41, this court deconsolidated Appellant Phillip Allen McGee.
- 4) Under Case No. 15-4710 DE 50, this court deconsolidated Appellant Tracy Allen McDonald.
- 5) Under Case No. 15-4762 DE 36, this court deconsolidated Appellant Alex Baxter Odom, Jr.
- 6) Counsel for Appellant Byrd will file an *Anders* brief.
- 7) This request for severance/deconsolidation is made in good faith and not with any intent to delay these proceedings.

WHEREFORE, the Appellant moves this Honorable Court to sever her matter from the consolidated case remaining on appeal.

Respectfully submitted this 9th day of March, 2016.

/s/ Stephen F Wallace

Stephen F Wallace
Attorney for Defendant
302-E North Lindsay St.
High Point, NC 27262
P (336) 882-4940
F (888) 500-1846
E Steve@AccessibleJustice.com
NC Bar No. 30691

CERTIFICATE OF SERVICE

On March 9, 2016 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: AUSA Clifton T. Barrett.

Submitted this 9th day of March, 2015.

/s/ **Stephen F Wallace**

Stephen F Wallace
Attorney for Defendant
302-E North Lindsay St.
High Point, NC 27262
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F (888) 500-1846
E Steve@AccessibleJustice.com
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